

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARTINA HENRY,

Plaintiff.

-against-

CAPITAL ONE BANK (USA), N.A.;  
CHASE BANK USA, N.A.; WELLS FARGO  
FINANCIAL NATIONAL BANK; US BANK  
N.A.; LVNV FUNDING LLC; SECOND  
ROUND LIMITED PARTNERSHIP;  
EXPERIAN INFORMATION SOLUTIONS,  
INC.; TRANS UNION, LLC; and EQUIFAX  
INFORMATION SERVICES, LLC,

Defendants.  
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Civ. Action No. 1:15-cv-03241-CM-KNF

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CIVIL CASE MANAGEMENT PLAN

1. This case is to be tried to a jury.
2. Discovery pursuant to Fed. R. Civ. P. 26(a) shall be exchanged by **July 26, 2015**.
3. No additional parties may be joined after **August 25, 2015**.
4. No pleading may be amended after **August 25, 2015**.
5. All discovery, *including expert discovery*, must be completed on or before **January 18, 2016**. Plaintiff's deposition shall be taken first. The phrase "all discovery, including expert discovery" means that the parties must select and disclose their experts' identities and opinions, as required by Fed. R. Civ. P. 26(a)(2)(B), *well before* the expiration of the discovery period. Expert disclosures conforming with Rule 26 must be made no later than the following dates: Plaintiff's expert report(s) by **September 21, 2015**; Defendants' expert report(s) by **November 4, 2015**.
6. Judge McMahon's Rules governing electronic discovery will not apply to this case. The parties have reached an alternative agreement to produce documents in hardcopy, or in the form of scanned PDF documents in an OCR readable format. If special circumstances arise in which any party wishes to conduct electronic discovery, the parties have agreed to meet and confer on the issue and notify the Court if electronic discovery is required in the future.
7. Discovery disputes in this case will be resolved by the assigned Magistrate Judge, who is **Magistrate Judge Fox**. The first time there is a discovery dispute that counsel cannot

resolve on their own, notify Judge McMahon's Chambers by letter and she will sign an order referring your case to the Magistrate Judge for discovery supervision. Thereafter, go directly to the Magistrate Judge for resolution of discovery disputes; do not contact Judge McMahon. Discovery disputes do not result in any extension of the discovery deadline or trial-ready date, and Judge McMahon must approve any extension of the discovery deadline in non-p'ose cases. *The Magistrate Judge cannot change discovery deadlines unless you agree to transfer the case to the Magistrate Judge for all purposes.* Judge McMahon does not routinely grant extensions so counsel are warned that if they wait until the last minute to bring discovery disputes to the attention of the Magistrate Judge, they may find themselves precluded from taking discovery because they have run out of time.

8. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules together with all other pre-trial submissions required by those rules (not including *in limine* motions), shall be submitted on or before **February 17, 2016**. Following submission of the joint pre-trial order, counsel will be notified of the date of the final pre-trial conference. *In limine* motions must be filed within five days of receiving notice of the final pre-trial conference; responses to *in limine* motions are due five days after the motions are made. Cases may be called for trial at any time following the final pre-trial conference.

9. No motion for summary judgment may be served after the date the pre-trial order is due (**February 17, 2016**). The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pre-trial order and other pre-trial submissions on the assigned date.

10. The parties may at any time consent to have this case tried before the assigned Magistrate Judge pursuant to 28 U.S.C. Section 636(c).

11. This scheduling order may be altered or amended only on a showing of good cause that is not foreseeable at the time this order is entered. *Counsel should not assume that extensions will be granted as a matter of routine.*

Dated: June 24, 2015  
New York, NY

By Consent of All Parties:

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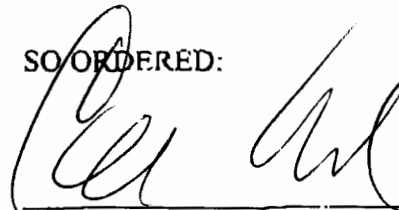
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*Counsel for Trans Union, LLC, Defendant*

SO ORDERED:



Hon. Colleen McMahon  
United States District Judge

6-25-2015